



December 2, 2016

**VIA ELECTRONIC FILING**

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Room TW-A325  
Washington, DC 20554

**Re: In the Matter of Lifeline and Link Up Reform and Modernization  
Notice of Forbearance from Lifeline BIAS Requirements  
WC Docket No. 11-42**

Pursuant to the *Lifeline Modernization Order*<sup>1</sup> and the *BIAS Forbearance Public Notice*,<sup>2</sup> Nex-Tech Wireless, LLC ("Nex-Tech Wireless" or "Company") submits this Notice of Forbearance from Lifeline Broadband Internet Access Service ("BIAS") requirements.

Nex-Tech Wireless is a competitive ETC ("CETC") with service areas in Kansas. As a recipient of Frozen High Cost Support ("FHCS"), the Company is not required to provide Lifeline-supported BIAS in its ETC service areas.<sup>3</sup> Nex-Tech Wireless hereby provides notice that it is availing itself of the FCC's forbearance from the Lifeline BIAS requirement throughout its ETC service area. Information regarding where the Company has been designated as an ETC is provided in Attachment A.

In Attachment B, submitted separately via e-mail, Nex-Tech Wireless provides the list of census blocks representing the areas in which the Company is availing itself of forbearance.

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<sup>1</sup> *Lifeline and Link Up Reform and Modernization et al.*, Third Report and Order, Further Report and Order,, and Order on Reconsideration, 31 FCC Rcd. 3962 (2016) ("*Lifeline Modernization Order*").

<sup>2</sup> *Wireline Competition Bureau Provides Guidance Regarding Filing Procedures for Eligible Telecommunications Carriers Seeking to Invoke Forbearance Granted by Lifeline Modernization Order*, Public Notice, WC Docket No. 11-42, DA 16-1316 (WCB. rel. Nov. 23, 2016) ("*BIAS Forbearance Public Notice*").

<sup>3</sup> Unlike recipients of other types of high-cost support who were granted forbearance based on census block, FHCS recipients "are not required to offer Lifeline-supported broadband services in their designated service areas." *Lifeline Modernization Order*, 31 FCC Rcd. at 4074 (¶ 311).



inadvertently omitted. Nex-Tech Wireless emphasizes that it elects forbearance throughout its ETC service area and will file a supplement with corrections if errors are identified.

Notwithstanding this forbearance filing and in accordance with the *Lifeline Modernization Order*, Nex-Tech Wireless reserves the right to offer and receive reimbursement for providing Lifeline-supported BIAS to eligible subscribers.<sup>4</sup>

Please contact the undersigned if you have questions.

Sincerely,



Jon Lightle  
President & CEO  
Nex-Tech Wireless, LLC  
Tel.: (785) 621-3600

cc: TelcoLifeline@usac.org

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<sup>4</sup> See *id.* See also, *BIAS Forbearance Public Notice*, *supra*, at p. 2

**Attachment A**  
**Information Regarding ETC Designations**

<b>ETC Name(s)</b>	<b>Study Area Code(s)</b>	<b>State</b>	<b>Designating Authority</b>	<b>Date(s) of ETC Designations</b>	<b>ETC Designation Orders</b>	<b>Type of ETC Designation</b>
Nex-Tech Wireless, LLC d/b/a Nex-Tech Wireless	419010	KS	Kansas Corporation Commission (KCC)	Dec. 12, 2005	KCC Docket No. 06-NTHT-061-ETC; <i>Order Approving Application</i>	FHCS CETC
Nex-Tech Wireless, LLC d/b/a Nex-Tech Wireless	419010	KS	Kansas Corporation Commission (KCC)	July 11, 2007	KCC Docket No. 07-NTWZ-966-ETC; <i>Order Granting Nex-Tech Wireless, LLC's Application for Eligible Telecommunications Carrier Designation</i>	FHCS CETC
Nex-Tech Wireless, LLC d/b/a Nex-Tech Wireless	419010	KS	Kansas Corporation Commission (KCC)	July 25, 2008	KCC Docket No. 08-NTWZ-827-ETC; <i>Order Granting Request of Nex-Tech Wireless for ETC Designation for FUSF and KUSF Support</i>	FHCS CETC
Nex-Tech Wireless, LLC d/b/a Nex-Tech Wireless	419010	KS	Kansas Corporation Commission (KCC)	Oct. 17, 2008	KCC Docket No. 08-NTWZ-1076-ETC <i>Order Approving ETC Application</i>	FHCS CETC
Nex-Tech Wireless, LLC d/b/a Nex-Tech Wireless	419010	KS	Kansas Corporation Commission (KCC)	Feb. 17, 2011	KCC Docket No. 11-NTWZ-077-ETC; <i>Order Granting NTW Request for ETC Designation in Certain Kansas Exchanges and Study Areas as Modified</i>	FHCS CETC

**Attachment B**

**BIAS Forbearance Census Blocks**

**[Provided as Separate Excel File]**